



CONTROL OF EMPLOYMENT REGULATIONS 2015

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Statutory Document No. 2015/0211

*Control of Employment Act 2014*

CONTROL OF EMPLOYMENT REGULATIONS 2015

Laid before Tynwald: 21 July 2015

Coming into Operation: 1 October 2015

The Department of Economic Development makes the following Regulations under sections 3, 8(2), 11, 12(2) to (4), 15(7), 17(1) and (4), and 24(1) and (6) of the Control of Employment Act 2014.

1 Title

These Regulations are the Control of Employment Regulations 2015.

2 Commencement

- (1) Subject to paragraph (2) these Regulations come into operation on 1 October 2015.
- (2) Regulation 13 comes into operation on 1 October 2016.

3 Interpretation

- (1) In these Regulations —
 - “**the Act**” means the Control of Employment Act 2014;
 - “**the applicant**” means the person by whom an application is made;
 - “**application**” means an application for the grant or renewal of a work permit;
 - “**certificate of sponsorship**” and “**sponsor**” have the same meanings as in the Immigration Act;
 - “**EEA national**” means a national of a State which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2 May 1992 as it has effect for the time being;
 - “**holder**” in relation to a work permit, means the person in respect of whose employment the work permit is granted;
 - “**Immigration Act**” means the Immigration Act 1971 (of Parliament) and the immigration rules made under it as those enactments have effect in the Island;

“**the person concerned**” means the person in respect of whose employment an application is made;

“**relevant person**” means any person living with, or likely to live with, the person concerned as a member of his or her family or household;

“**skills card**” means a document issued by a recognised organisation to demonstrate the qualifications and skills of a person who is employed in a construction trade;

“**work permit**” means a permit granted under section 8 of the Act and, to avoid doubt, includes a work permit granted in accordance with section 9(1) of the Act (spouse or civil partner permit).

(2) For the purposes of the Act “**immigration employment document**” means a certificate of sponsorship validly issued by a sponsor indicating, in accordance with the Immigration Act, that a person named in it is eligible for leave to enter or remain in the Island for the purpose of taking up or continuing a specified employment in the Island with the sponsor in accordance with that certificate’s terms.

4 Application for grant or renewal of work permit

- (1) An application must be made in a form approved by the Department —
- (a) if in respect of a work permit for an employee or prospective employee (except under section 9(1) of the Act), jointly by the employer or prospective employer and the person concerned;
 - (b) if in respect of —
 - (i) a work permit for a self-employed person (except under section 9(1) of the Act); or
 - (ii) a work permit under section 9(1) of the Act, by the person concerned.
- (2) Different forms may be approved by the Department in respect of —
- (a) different classes of employees;
 - (b) different classes of self-employed persons; and
 - (c) work permits under section 9(1) of the Act.
- (3) An application for the grant of a work permit must contain, in respect of the applicant or applicants and any relevant person the information specified in —
- (a) Part 1 of Schedule 1, in the case of an application for a work permit for an employed person (except under section 9(1) of the Act);
 - (b) Part 2 of Schedule 1, in the case of an application for a work permit for a self-employed person (except under section 9(1) of the Act); or

- (c) Part 3 of Schedule 1, in the case of an application for a work permit under section 9(1) of the Act.
- (4) The applicant or applicants must furnish such certificates, documents and evidence for the purpose of the application as may be required by the Department.
- (5) The applicant and the person concerned (if different) must, if reasonably so required, attend at such office or place as the Department may direct for the purpose of supplying any matter referred to in paragraph (4).
- (6) The application form must be signed by the applicant or applicants and must contain a certificate that its contents are true and complete to the best of his, her or their knowledge and belief.
- (7) An application for the renewal of a work permit must be made not less than 28 days before the date of expiry of the work permit.

5 Matters in respect of which regard shall or may be had in determining an application

Schedule 2 specifies —

- (a) in Part 1, the matters to which regard shall be had in determining whether to grant or renew a work permit, or to specify a condition in a work permit; and
- (b) in Part 2, the matters to which regard may be had in determining those issues.

6 Consolidation and staying of applications

- (1) If 2 or more applications (by or in relation to the same individual) relate to the same employment, the Department may consider and determine the applications together.
- (2) If applications are made for —
 - (a) a work permit relating to regular full-time employment otherwise than of a temporary nature which will be the primary employment for the purpose of section 9(1) in relation to the employment referred to in sub-paragraph (b); and
 - (b) a work permit under section 9(1) for the employment of the spouse or civil partner of the holder of the work permit referred to in sub-paragraph (a),the Department may consider and determine the applications together.
- (3) But paragraph (2) does not enable the work permit referred to in subparagraph (b) to be granted before the employment referred to in subparagraph (a) has commenced.

- (4) If an appeal has been made in relation to an application for the grant of a work permit, the Department may postpone, until the appeal is determined or withdrawn, consideration of any other application for the grant of a work permit in respect of the same employment.

This does not limit paragraph (5).

- (5) If an appeal has been made in relation to an application for the grant of a work permit and —

- (a) is determined, or
(b) is withdrawn less than 15 days before the date fixed for the hearing of the appeal,

the Department may postpone consideration of another application for the grant of a work permit in respect of the same person and the same employment, for a period not exceeding 3 months from the date of the determination or withdrawal of the appeal.

- (6) The Department must as soon as practicable notify the applicant and the person concerned (if different) of any decision to deal with an application in accordance with the provisions of this regulation.

7 Change of circumstances justifying revocation of work permit

Schedule 3 specifies the changes of circumstances which justify revocation of a work permit.

8 Decision on application for work permit

- (1) The Department must give the applicant written notice of the decision on an application.
- (2) The notice of a decision —
- (a) to refuse to grant or renew a work permit;
- (b) to grant or renew a work permit for a period less than that applied for; or
- (c) to include a condition in a work permit,
- must include —
- (i) a statement of the reasons for the decision; and
- (ii) information as to how an appeal can be made to the Work Permit Appeal Tribunal.
- (3) A work permit must be in writing and (subject to that) in such form as the Department may determine.

9 Variation of work permit

- (1) In the circumstances specified in paragraph (2) or (3) a work permit may be varied by the Department —

- (a) at the request of the holder, or
 - (b) at the request of the employer of the holder with the consent of the holder.
- (2) If the work permit is limited to employment in a specified capacity at a specified place, it may be so varied to remove the limitation or to specify another place, if the Department is satisfied that the employment of the holder in a different capacity or without that limitation, or at that other place, as the case may be, is reasonably required for the purpose of the employer's business.
- (3) The work permit may be varied so as to specify, in place of employment in the capacity specified in the work permit, employment in a different but related capacity if the Department is satisfied —
- (a) that the employment of the holder in the specified capacity is no longer required, but the employment of the holder in the other capacity is reasonably required, for the purpose of the employer's business; or
 - (b) that the holder was employed in the specified capacity for the purpose of training for a qualification which he or she has now obtained, and is to be employed in a capacity for which that qualification is required.
- (4) Any decision of the Department under this regulation is final.

10 Employer to notify Department

- (1) If the holder of a work permit, other than a work permit under section 9(1) of the Act, ceases to work for an employer, the employer must, within 14 days of the cessation, notify the Department of —
- (a) the full name of the employee;
 - (b) the number of the work permit;
 - (c) the date of cessation; and
 - (d) to the best of the employer's knowledge, whether the employee is still working in the Island and, if so, the name and address of the new employer.
- (2) If the employment of the holder of a work permit is terminated in the circumstances specified in section 8(4) of the Act (transfer of undertaking), the employer must within 14 days notify the Department of —
- (a) the full name of the employee;
 - (b) the number of the work permit;
 - (c) the date of the termination; and
 - (d) the name and address of the successor or associated employer (as defined in section 8(4)).

- (3) A person who fails to comply with paragraph (1) or (2) is guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

11 Notification in respect of self-employed permit

- (1) If the holder of a self-employed permit ceases self-employment, the holder must, within 14 days, notify the Department of –
- (a) his or her full name;
 - (b) the number of the work permit;
 - (c) the date of cessation;
 - (d) whether he or she is still working in the Island and, if so, the name and address of the employer or details of the new self-employment.
- (2) A person who fails to comply with paragraph (1) is guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

12 Notification in respect of spouse etc. permit

- (1) If the holder of a work permit under section 9(1) of the Act commences work for an employer, the holder must, within 14 days, notify the Department of –
- (a) his or her full name;
 - (b) the number of the work permit;
 - (c) the name, business address, telephone number and email address (if any) of the employer;
 - (d) the nature of the employment;
 - (e) the rate of pay, any bonuses, any accommodation offered, and hours of work; and
 - (f) the date of commencement,
- except where the holder has already provided all of the details in respect of sub-paragraphs (a) and (c) to (f) on the work permit application form.
- (2) If the holder of a work permit under section 9(1) of the Act commences self-employment, the holder must, within 14 days, notify the Department of –
- (a) his or her full name;
 - (b) the number of the work permit;
 - (c) details of the self-employment, including the business name and address and the work to be carried out and an indication of the projected income; and
 - (d) the date of commencement,
- except where the holder has already provided all of the details in respect of sub-paragraphs (a), (c), and (d) on the work permit application form.

- (3) If the holder of a work permit under section 9(1) of the Act ceases to work for an employer or to be self-employed, the holder must, within 14 days, notify the Department of —
 - (a) his or her full name;
 - (b) the number of the work permit;
 - (c) the name of the employer (if any); and
 - (d) the date of cessation.
- (4) If the marriage or civil partnership of the holder of a work permit under section 9(1) of the Act is terminated by divorce, dissolution or annulment, the holder must, within 14 days, notify the Department of —
 - (a) the relevant event; and
 - (b) when it occurred.
- (5) If the primary employment ceases, the primary worker must, within 14 days of the cessation, notify the Department of the date of the cessation.
In this paragraph —

"the primary employment" means the employment in which the spouse or civil partner of the holder of a work permit under section 9(1) of the Act was engaged and by virtue of which the permit was granted;

"the primary worker" means that spouse or civil partner.
- (6) A person who fails to comply with any provision of this regulation is guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

13 Fixed penalties for offences under the Act

- (1) Section 17 of the Act (fixed penalties) applies to offences under the provisions specified in column 1 of Schedule 4.
- (2) The amount of a fixed penalty in the case of each such offence is the amount specified in column 2 of Schedule 4 in relation to the provision in question.
- (3) Schedule 5 prescribes the form to be used for the purpose of section 17(1) of the Act.

14 Revocation

The Control of Employment Regulations 1993 are revoked.

This is subject to regulation 15, and to paragraph 7 of Schedule 3 to the Act (saving for Tribunal proceedings and existing procedural rules).

15 Transitional provisions

These Regulations do not apply to an application for the grant or renewal of a work permit received by the Department before the commencement of these Regulations.

MADE 3 JULY 2015

LAURENCE SKELLY

Minister for Economic Development

SCHEDULE 1

[Regulation 4(3)]

INFORMATION TO BE CONTAINED IN APPLICATION**PART 1 – EMPLOYED PERSON***Details of prospective employer*

1. The employer's full name and name of the person to contact within the organisation.
2. The employer's business address, telephone number and email address (if any).
3. Nature of business or occupation.
4. The length of time the employer's business has been established.
5. The number of Isle of Man workers employed by the employer, and the percentage those workers are of the total number of persons employed by the employer.

Details of the particular employment

6. Specific details of the employment for which the work permit is required (the word "director" being treated as insufficiently specific for this purpose), including rate of pay, any bonuses, any accommodation offered, and hours of work.
7. Any skills, qualifications, or experience required for the employment.
8. The importance of the particular position to the employer.
9. If it is claimed that the employment of the person concerned may bring any special economic or social benefit to the Island, particulars of that benefit.
10. The date the employment is to commence.
11. The period for which the work permit is required.
12. The reasons for wishing to employ the person concerned.
13. Details of the steps taken to fill the vacancy, including any advertising and the response thereto.
14. The reason why any Isle of Man workers were considered unsuitable to carry out the employment.

Details of person concerned

15. The title and full name of the person concerned, and any previous name.
16. The gender of the person concerned.

17. The home address and last address outside the Island of the person concerned.
18. The email address (if any) and telephone number of the person concerned.
19. The National Insurance number of the person concerned.
20. The date and place of birth of the person concerned.
21. The nationality of the person concerned, and, if a non EEA national, whether he or she has leave to enter and remain in the Island as defined within the Immigration Act and is permitted to work in the Island under that Act.
22. Whether English is the first language of the person concerned and, if not, details of his or her proficiency in English including any appropriate qualifications.
23. The marital or civil partnership status of the person concerned.
24. The date the person concerned arrived in the Island.
25. If the person concerned has any family or a partner living in the Island.
26. Particulars of employments in which the person concerned has been engaged in the previous 10 years, including any time spent in education, any gaps in employment, and periods of sickness longer than 6 months.
27. Particulars of any current or previous work permit held by the person concerned.
28. If the person concerned is under 18 years of age, whether he or she is living with his or her parents, and if so the names and address of the parents.
29. Particulars of any criminal convictions (in the Island or elsewhere) of the person concerned.
30. If the person concerned engages or intends to engage in a construction trade, details of his or her skills card.
31. The state of health of the person concerned.
32. If the person concerned has any Income Tax or National Insurance arrears.
33. Means of meeting living expenses.
34. Any other relevant information.

Details of relevant persons

35. The following details of any relevant person —
 - a full name and any previous name;
 - b relationship to the person concerned;
 - c gender;
 - d date and place of birth;

- e marital or civil partnership status;
- f nationality, and, if a non EEA national, whether he or she has leave to enter and remain in the Island as defined within the Immigration Act and is permitted to work in the Island under that Act;
- g proficiency in English including any appropriate qualifications;
- h occupation;
- i recent employment history, in the case of a spouse or civil partner of the person concerned;
- j state of health;
- k any criminal convictions (in the Island or elsewhere);
- l whether intending to live with the person concerned;
- m whether requiring education;
- n means of meeting living expenses;
- o any other relevant information.

PART 2 — SELF-EMPLOYED PERSON

Details of self-employment

1. Details of the proposed self-employment including the nature of the business, the business name and address and the work to be carried out.
2. Whether the business is a new or existing business and, in the latter case, when it was acquired.
3. Any skills, qualifications, or experience required for the self-employment.
4. Whether the person concerned is an undischarged bankrupt.
5. Particulars of the financial structure of the business including the business plan.
6. If the person concerned is to undertake work as a sub-contractor on a construction project —
 - a the name and contact details of the main contractor;
 - b details of the project; and
 - c the start and finish dates of the contract.
7. If it is claimed that the employment of the person concerned may bring any special economic or social benefit to the Island, particulars of that benefit.
8. The date the self-employment is to commence.
9. The period for which the work permit is required.

Details of person concerned

7. The title and full name of the person concerned, and any previous name.
8. The gender of the person concerned.
9. The home address and last address outside the Island of the person concerned.
10. The email address (if any) and telephone number of the person concerned.
11. The National Insurance number of the person concerned.
12. The date and place of birth of the person concerned.
13. The nationality of the person concerned, and, if a non EEA national, whether he or she has leave to enter and remain in the Island as defined within the Immigration Act and is permitted to work in the Island under that Act.
14. Whether English is the first language of the person concerned and, if not, details of his or her proficiency in English including any appropriate qualifications.
15. The marital or civil partnership status of the person concerned.
16. If the person concerned has any family or a partner living in the Island.
17. The date the person concerned arrived in the Island.
18. Particulars of employments in which the person concerned has been engaged in the previous 10 years, including time spent in education, any gaps in employment, and any periods of sickness longer than 6 months.
19. Particulars of any current or previous work permit held by the person concerned.
20. If the person concerned is under 18 years of age, whether he or she is living with his or her parents, and if so the names and address of the parents.
21. Particulars of any criminal convictions (in the Island or elsewhere) of the person concerned.
22. If the person concerned engages or intends to engage in a construction trade, details of his or her skills card.
23. The state of health of the person concerned.
24. If the person concerned has any Income Tax or National Insurance arrears.
25. Means of meeting living expenses.
26. Any other relevant information.

Details of relevant persons

27. The following details of any relevant person –
 - a full name and any previous name;

- b relationship to the person concerned;
- c gender;
- d date and place of birth;
- e marital or civil partnership status;
- f nationality, and, if a non EEA national, whether he or she has leave to enter and remain in the Island as defined within the Immigration Act and is permitted to work in the Island under that Act;
- g proficiency in English including any appropriate qualifications;
- h occupation;
- i recent employment history, in the case of a spouse or civil partner of the person concerned;
- j state of health;
- k any criminal convictions (in the Island or elsewhere);
- l whether intending to live with the person concerned;
- m whether requiring education;
- n means of meeting living expenses;
- o any other relevant information.

PART 3 – SPOUSE OR CIVIL PARTNER

Details of person concerned

1. The title and full name of the person concerned and any previous name.
2. The gender of the person concerned.
3. The title and full name of the spouse or civil partner of the person concerned.
4. Particulars of any current or previous work permit held by the person concerned.
5. Particulars of the work permit of the spouse or civil partner of the person concerned or if that person is exempt details as to the exemption.
6. The home address and last address outside the Island of the person concerned.
7. The email address (if any) and telephone number of the person concerned.
8. The National Insurance number of the person concerned.
9. The date and place of birth of the person concerned.
10. The nationality of the person concerned, and, if a non EEA national, whether he or she has leave to enter and remain in the Island as defined within the Immigration Act and is permitted to work in the Island under that Act.

11. The date the person concerned arrived in the Island.
12. Particulars of any criminal convictions (in the Island or elsewhere) of the person concerned.
13. Any other relevant information.

Details of employment (where known)

14. The employer's full name and business address, telephone number and email address (if any).
15. The nature of the employment.
16. Rate of pay, any bonuses, any accommodation offered, and hours of work.
17. Details of any proposed self-employment, including the business name and address, the work to be carried out and an indication of the projected income.
18. The date of commencement.

SCHEDULE 2

[Regulation 5]

MATTERS TO BE CONSIDERED IN DETERMINING APPLICATION FOR WORK PERMIT ETC.**PART 1 – MATTERS TO WHICH REGARD SHALL BE HAD***Economic circumstances*

1. Whether there are any suitable Isle of Man workers available in the trade, occupation or profession in respect of which the application is made, having regard to –
 - (a) any skills, qualifications, knowledge, or experience required for the position; and
 - (b) the importance of the position to the applicant's undertaking.
2. The level of unemployment in the Island in the trade, occupation or profession in respect of which the application is made.
3. Any likely economic or social consequences of granting or declining the application (other than for the person concerned or any relevant person).

The process

4. Whether and how the availability of the employment has been publicised in the Island.
5. The process by which the applicant has selected the person concerned.
6. The grounds on which the person concerned was selected.

Personal circumstances of the person concerned

7. Any conviction of the person concerned falling within section 10 of the Act.
8. Where the person concerned has, within a reasonable time before the making of the application, worked in the Island for a continuous period of 2 years or more by virtue of a work permit or an exemption under section 7 of the Act, his or her family circumstances (including whether his or her family are living in the Island).
9. Whether a refusal to grant or renew a work permit would cause substantial hardship to the person concerned.

Additional considerations regarding the person concerned

10. The status of the person concerned under the Immigration Act, and whether he or she has leave to enter and remain in the Island as defined within that Act and is permitted to work in the Island under that Act.

PART 2 – MATTERS TO WHICH REGARD MAY BE HAD*Economic circumstances*

1. In the case of a self-employed person, the number of individuals already engaged in the employment in question in the Island.

Personal circumstances of the person concerned

2. The employment history of the person concerned.

Additional considerations regarding the employer

3. The number of Isle of Man workers employed by the applicant as a percentage of the total number of persons employed by him or her.
4. Whether the wages and conditions offered are less favourable than those normally applying in the particular trade or occupation in the Island.
5. Any career development policy or rotation policy of the applicant.

Additional considerations regarding the person concerned

6. If the person concerned engages or intends to engage in a construction trade, whether he or she is suitably qualified to do so and holds a relevant skills card, as may be specified by the Department.
7. The failure of the person concerned to pay his or her income tax or contributions under any statutory provision relating to social security.
8. Whether the person concerned is likely to a significant degree to require health services or social services at the public expense while residing in the Island.
9. The criminal record (if any) of the person concerned (except as provided by paragraph 7 of Part 1).
10. The ability of the person concerned to speak English.

Considerations regarding relevant persons

11. The employment history of a relevant person, being the spouse or civil partner of the person concerned.

12. Whether a relevant person, being the spouse or civil partner of the person concerned, has an immigration employment document.
13. The status of any relevant person under the Immigration Act, and whether he or she has leave to enter and remain in the Island as defined within that Act.
14. Whether a relevant person is likely to a significant degree to require education at the public expense while residing in the Island.
15. Whether a relevant person is likely to a significant degree to require health services or social services at the public expense while residing in the Island.
16. Whether a relevant person is likely to a significant degree to receive non-contributory social security benefits while residing in the Island.
17. The criminal record (if any) of any relevant person.
18. The ability of any relevant person to speak English.

SCHEDULE 3

[Regulation 7]

CHANGE OF CIRCUMSTANCES JUSTIFYING REVOCATION OF WORK PERMIT

1. The fact that, since the grant of the work permit, the holder or a relevant person has been convicted of a criminal offence. This is without prejudice to section 11(2) of the Act.
2. The fact that the application for the work permit includes a statement (whether relating to the holder, to his or her employer, to a relevant person or to any other person) which is false in a material particular, or omits to disclose a material particular, such that a true and complete statement would have caused the Department to refuse to grant or to renew the work permit, as the case may be.
3. The failure of the holder or his or her employer to comply with any condition subject to which the work permit was granted.
4. The failure of the holder to pay his or her income tax or contributions under any statutory provision relating to social security.
5. Two or more complaints referred to in section 23(4) of the Act against the holder, tending to show that he or she is not a fit and proper person to undertake or be engaged in the employment in question.
6. The fact that the continued employment of the holder would be unlawful under the Immigration Act.

SCHEDULE 4

[Regulation 13(1) and (2)]

FIXED PENALTY OFFENCES

Provision creating offence	Amount of fixed penalty
• Section 15(1) of the Act (contravention of section 6 (restrictions on employment))	£1,000
• Section 15(3)(a) of the Act (failure to comply with a condition specified in Part 1 of Schedule 1 to the Act)	£200
• Section 15(3)(b) of the Act (failure to comply with a condition under —	£200
○ section 7(5)(a) (exemption of person in the national interest);	
○ section 7(5)(b) (exemption of employment of a temporary or intermittent nature);	
○ section 8(2) (work permits); or	
○ section 9(3)(spouse or civil partner permit))	
• Regulation 10(3) (failure by employer to notify Department of certain matters)	£100
• Regulation 11(2) (failure by self-employed person to notify the Department of certain matters)	£100
• Regulation 12(6) (failure by holder of spouse etc. permit to notify Department of certain matters)	£100

SCHEDULE 5

[Regulation 13(3)]

FIXED PENALTY NOTICE

Serial No.

To:*

Address:*

I have reasonable cause to believe that you have committed an offence under —
the following section of the Control of Employment Act 2014* —

- section 15(1) (contravention of section 6 (restrictions on employment))*
- section 15(3)(a) (failure to comply with a condition specified in Part 1 of Schedule 1 to the Act)*
- section 15(3)(b) (failure to comply with a condition under* —
 - section 7(5)(a) (exemption of person in the national interest);*

- section 7(5)(b) (exemption of employment of a temporary or intermittent nature);*
- section 8(2) (work permits);*
- section 9(3)(spouse or civil partner permit)*

the following provision of the Control of Employment Regulations 2015* –

- regulation 10(3) (failure by employer to notify Department of certain matters)*
- regulation 11(2) (failure by self-employed person to notify Department of certain matters)*
- regulation 12(6) (failure by holder of spouse etc. permit to notify Department of certain matters)*

On summary conviction you could be liable to a fine of up to £ *

HOWEVER YOU MAY AVOID BEING CONVICTED FOR THE OFFENCE BY
PAYING A FIXED PENALTY OF £ * WITHIN * (not less than 14) DAYS

You should pay the fixed penalty to the Chief Registrar, Courts of Justice, Deemsters' Walk, Douglas IM1 3AR. You may pay in cash, or by cheque or postal order to the Chief Registrar, but do not send cash except by registered post.

When paying, you should also send the counterfoil below and quote the serial number above on the back of the cheque or postal order.

A receipt for postal payments will be issued if requested (please send a stamped, addressed envelope if paying by post). All personal callers will receive a receipt.

Date

Inspector authorised by Department of Economic Development

**Complete or delete as appropriate*

COUNTERFOIL

Fixed penalty of £ payable to the Chief Registrar (Control of Employment Act 2014)

Name and address of person by whom the penalty is paid

Serial No.

*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations re-enact with amendments the Control of Employment Regulations 1993, mainly to take account of the replacement of the Control of Employment Act 1975 by the Control of Employment Act 2014. The principal changes are as follows:

- (a) separate provision has been made for an application by a spouse or civil partner of a work permit holder;
- (b) the information to be included in an application has been amended;
- (c) the matters in respect of which regard shall or may be had in determining an application for a permit have been revised;
- (d) the circumstances justifying revocation of a work permit have been revised;
- (e) those provisions of the Act and the Regulations which are subject to fixed penalties are set out together with the amount of the penalty in each case and the prescribed fixed penalty form.